

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

MAY 23 1990

Frank J. Courmick
(Applicant)

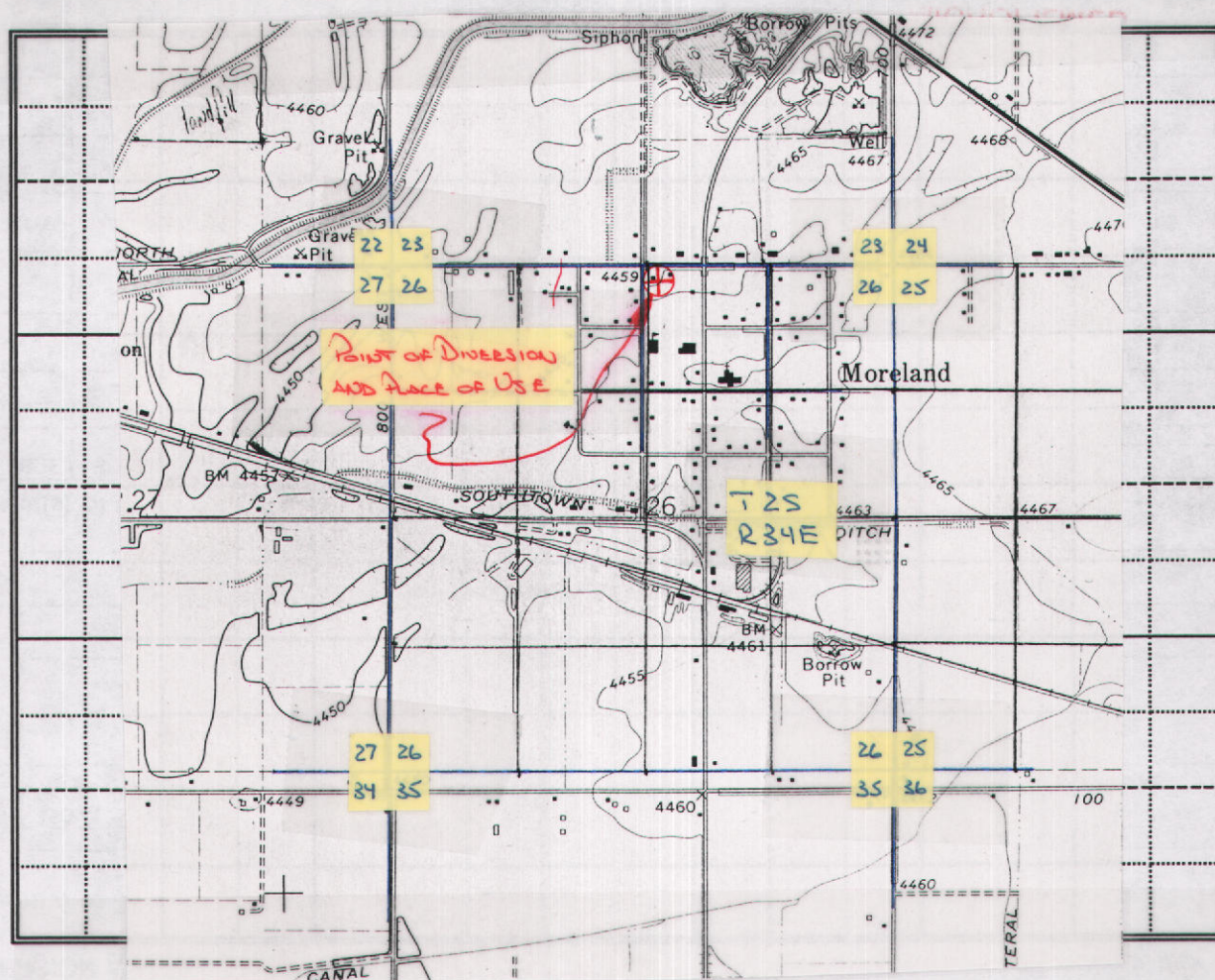
Idaho Dept. of Water Resources
Place of Use Comparison Report

↓

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Permit	35 8216	TERRY COUMERILH, WANDA COUMERILH,	GROUND WATER	02S34E26		1															1
Right	35 8216	TERRY L COUMERILH, WANDA COUMERILH,	GROUND WATER	02S34E26		1															1
Permit	35 8728	TERRY L COUMERILH,	GROUND WATER	02S34E26		3															3
Rec	35 11208	SNAKE RIVER SCHOOL DISTRICT N 52,	GROUND WATER	02S34E26		5															5
Right	35 4168	CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS,	GROUND WATER	02S34E26		6															6
Rec	35 10629	LYNDA PACKER, CLAIR PACKER,	GROUND WATER	02S34E26								4									4
Rec	35 10874	DELOS H WELLS, LUELLA WELLS,	GROUND WATER	02S34E26					3	5											8
Rec	35 2690A	WANDA I KOLBET,	GROUND WATER	02S34E26							17	18									35
Rec	35 2690B	OMA W JONES,	GROUND WATER	02S34E26						14	10										24
Rec	35 8179	GARY D GRIMMETT,	GROUND WATER	02S34E26					3												3
Right	1 306	DANSKIN DITCH CO,	SNAKE RIVER	02S34E26	X		X	X			X	X	X	X	X	X	X	X	X	X	0
Right	1 52A	DANSKIN DITCH CO,	SNAKE RIVER	02S34E26																	0
Right	1 53A	DANSKIN DITCH CO,	SNAKE RIVER	02S34E26																	0
Right	35 2671	KENNETH L HAMMOND,	GROUND WATER	02S34E26	15																15
Right	35 2690	OSCAR H KOLBET, J R DAWSON,	GROUND WATER	02S34E26						13	29	16		6							64
Right	35 4097	ELIODORO LUIS, DIANE LUIS,	GROUND WATER	02S34E26			1														1
Right	35 8179	GARY D GRIMMETT,	GROUND WATER	02S34E26					3												3
Right	35 8209	SHELLI L YOUNG, BRENT K YOUNG,	GROUND WATER	02S34E26									4								4
Right	35 8220	DELOS H WELLS,	GROUND WATER	02S34E26					4.5	5											9.5
Right	35 8352	PIONEER WATER USERS ASSN INC,	GROUND WATER	02S34E26									1			3.4		1.1	1.5		7

↑

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = 100'

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Berkely	3hp			2" DISCHARGE

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
WELL ABOVE	OLIMPIC	ACAS	500		500'	

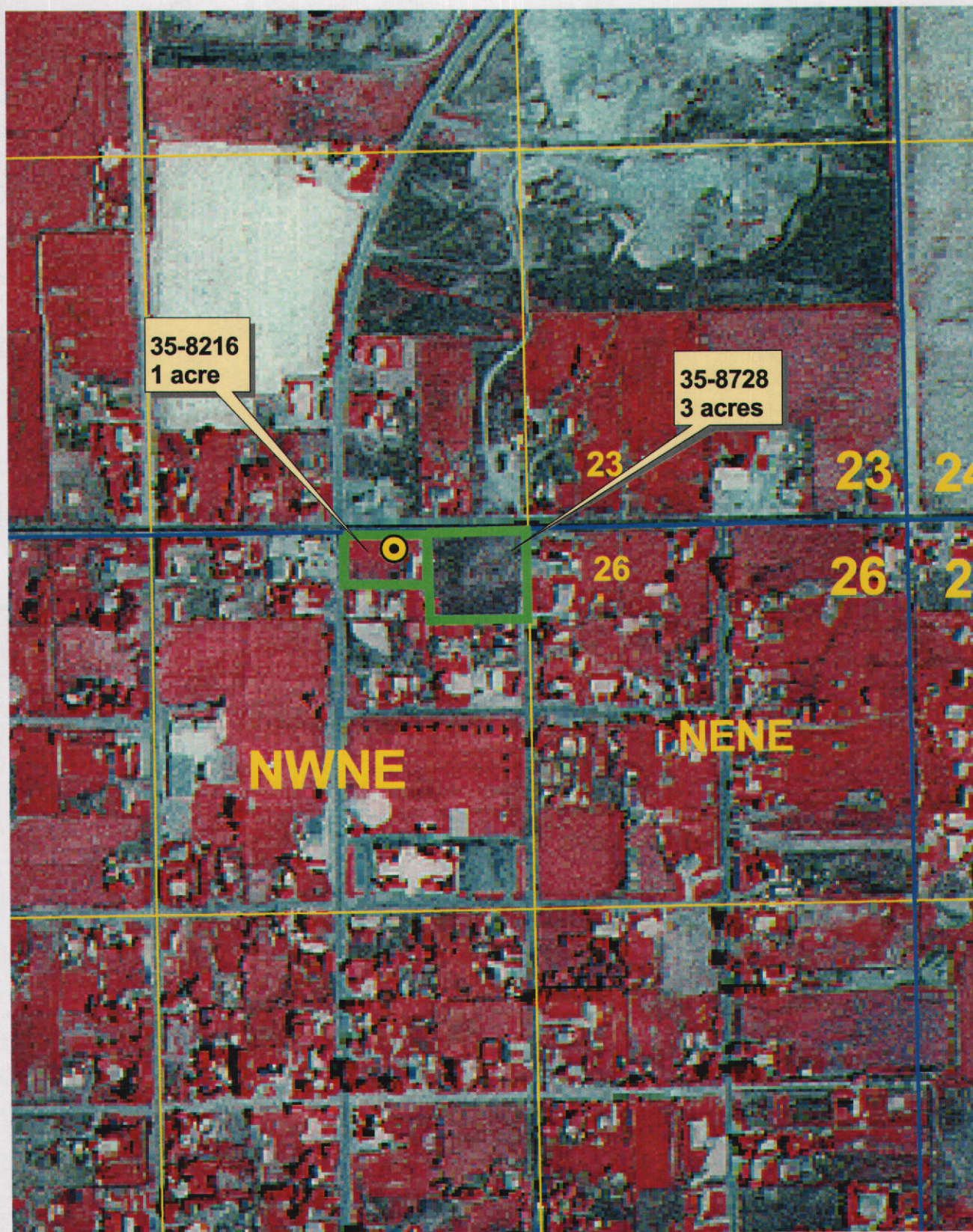
2. Measurements: STATIC H₂O AT 28', ESTIMATE 30-40 PSI SYSTEM

MICROFILMED

JUL 10 2002

35-08216, 35-08728

T2S, R34E sec 26



MICROFILMED

100 10 2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 35-08216

Priority: June 21, 1983

Maximum Diversion Rate 0.03 CFS

It is hereby certified that TERRY COUMERILH And/Or WANDA COUMERILH
PO DRAWER H
MORELAND ID 83256 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 21, 1983; and have
submitted Proof of Beneficial Use on October 29, 1990. An examination indicates that the works have a
diversion capacity of 0.14 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

04/01 to 10/31

DIVERSION RATE

0.03 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26, Twp 02S, Rge 34E, B.M. , BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	34E	26		10															10

Total Acres: 1

CONDITIONS OF APPROVAL

1. Rights 35-08728, 35-11379 and 35-11380 are also diverted through the point of diversion described above.
2. Rights 35-08728, 35-11379, 35-11380 and 35-08216 when combined shall not exceed a total diversion rate of 0.14 cfs.
3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder
4. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor exceed a combined annual maximum diversion volume of 4.0 af at the field headgate for the lands above.

MICROFILMED

JUL 10 2002

State of Idaho
Department of Water Resources
Water Right License

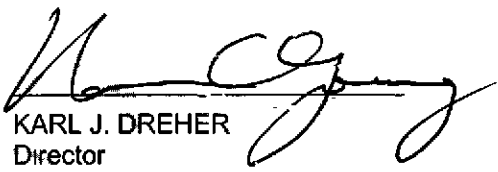
WATER RIGHT NO. 35-08216

6. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. Use of water under this water right will be regulated by the watermaster of State Water District No. 120
8. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 26TH day of JUNE, 2002.

Acting for


KARL J. DREHER
Director

MICROFILMED

JUL 10 2002

RECEIVED

OCT 29 1990

STATE OF IDAHO

For Office Use Only

Amt. of Fee \$ 0Date 10/29/1990Receipt No. 0Received by ICWDepartment of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 35-8216 Telephone No. 684-5535Name(s) of Permit Holder(s): Terry L. CoomerilhPost Office Address: P.O. Drawer H Moreland 83256Source of Water: GroundwaterIf ground water, well driller's name: Unknown Date drilled: 1950

Extent of Use:

Domestic _____ (No. of households)

Irrigation 1 (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

Total rate and/or volume for which proof is submitted 0.03 cfs _____ acre/feetShow date water was first diverted and beneficially used under this permit: 1950

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes No Installed? Yes No

OR

Flow Measurement Port: Required? Yes No Installed? Yes NoFee Enclosed: \$ 0 (See License Examination Fee Schedule)

Department of Water Resources

Person to contact to accompany the Department representative during the field examination:

Name

See above

Telephone No.

Address

See above**MICROFILMED**

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho

Date 10/29/1990

Signature (and title if on behalf of a company or organization)

Terry L. Coomerilh

DEC 07 1990

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08216

Proposed Priority: June 21, 1983 Maximum Diversion Rate: 0.03 CFS

This is to certify, that TERRY COUMERILH
WANDA COUMERILH
P.O. BOX 9
MORELAND, ID 83256

has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	04/01 to 11/01	0.03 CFS
------------	----------------	----------

<u>LOCATION OF POINT(S) OF DIVERSION:</u>	NWNE Sec. 26, Township 02S, Range 34E BINGHAM County
---	--

PLACE OF USE: IRRIGATION

<u>TWN</u> <u>RGE</u> <u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S 34E 26	NWNE 1			1

Total number of acres irrigated: 1

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1991.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
7. The maximum rate of diversion for irrigation purposes under this permit shall not exceed 0.03 cfs.

MICROFILMED

MAY 23 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08216

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

16th day of May, 1990.

J. Glen Saxton
for R. Keith Higginson, Director

MICROFILMED

MAY 23 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Terry &/or Wanda Coumerilh Phone 684-3955

Post office address Box 9, Moreland, Idaho 83256

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26 Township 2S

Range 34E B.M. Bingham County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Allow 0.03 cfs*

Amount 0.04 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated: *per telecon with applicant 9/24/85 - JJ

Allow 0.03 cfs*

a. 0.04 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump and sprinkler system.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 6 inches; proposed depth of well is 60 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

MICROFILMED

MAY 23 1990

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2S	34E	26		1															1

Total number of acres to be irrigated 1

c. Describe any other water rights used for the same purposes as described above. None

9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

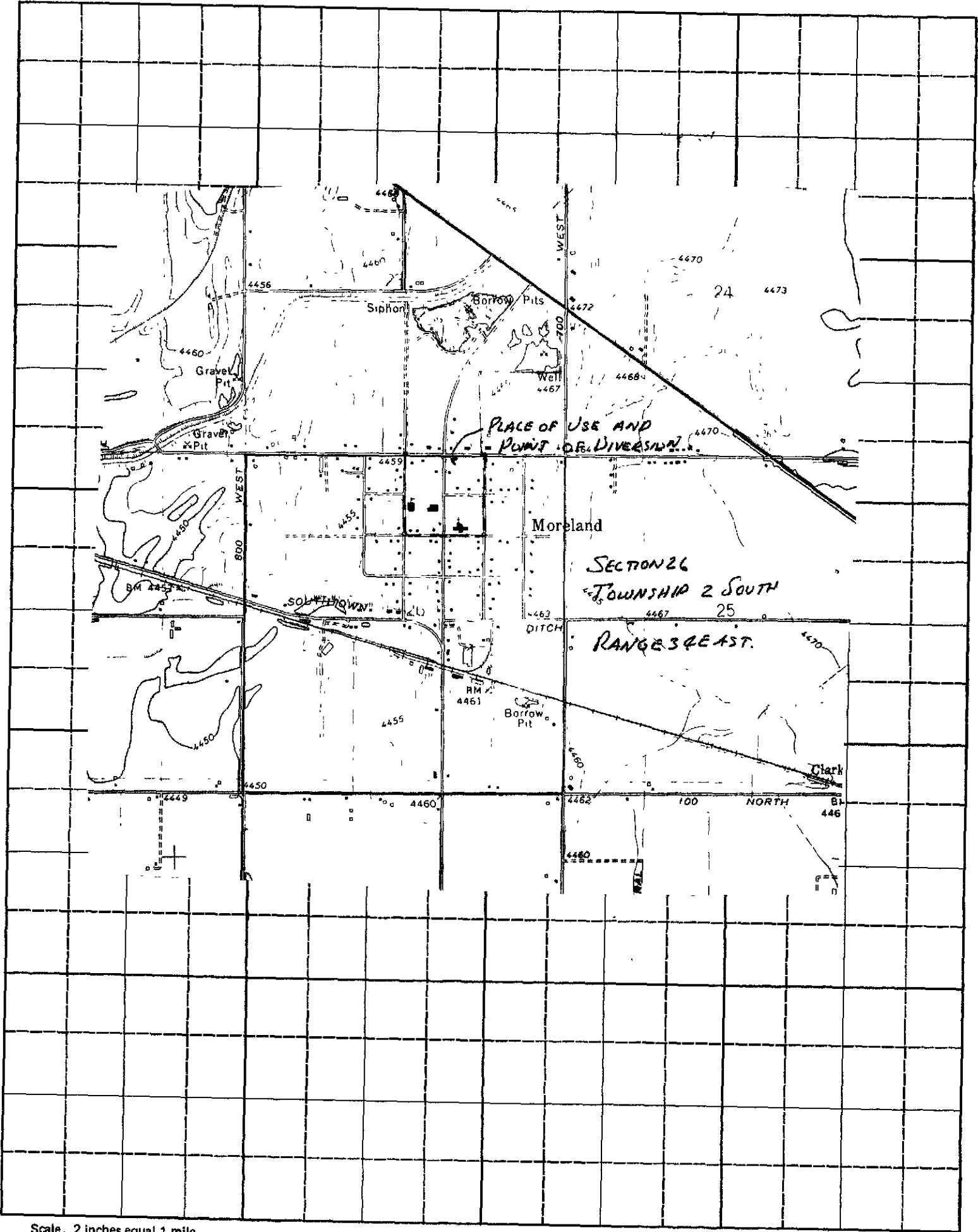
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

microFILMED

MAY 24 1990

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale. 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

MAY 23 1990

Yonah S. Courmick
(Applicant)

Proposed Priority 6/21/83

Received by Jm Date 6-21-83 Time 11:45A.

Preliminary check by Jm Fee \$ 30⁰⁰

Receipted by ew Date 6-21-83 # 30998

Publication prepared by ct Date 8-7-85

Published in Morning News

Publication dates 8-15 & 18-22-85 & 8-29-85

Publication approved ew Date 9-3-85

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC kw

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-8216, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

Witness my hand this _____ day of _____

Chief, Operations Bureau

MICROFILMED

MAY 23 1990

RECEIVED

SEP 3 1985

Department of Water Resources
Eastern District Office

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

27-7360
KUNZ, KENT V.
Rt. 1, Box 146D
Shelley, Idaho 83274
Source: GROUNDWATER
Date Filed: 06/08/1983
Diversion Pt.: NENW Sec 36 T 01N R 37E
Use: IRRIGATION (0.04 CFS), STOCKWATER (0.05 CFS), DOMESTIC (0.08 CFS).
In: NENW Sec 36 T 01N R 37E for 2 ACRES

35-8216
COUMERILH, TERRY & WANDA
Box 9
Moreland, Idaho 83256
Source: GROUNDWATER
Date Filed: 06/21/1983
Diversion Pt.: NWNE Sec 26 T 02S R 34E
Use: IRRIGATION (0.04 CFS)
In: NWNE Sec 26 T 02S R 34E for 1 ACRES.

35-8619
BAILEY, STEVEN E. &/or JULIE A.
Route 5 Box 226
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 07/31/1985
Diversion Pt.: NENW Sec 08 T 03S R 34E
Use: IRRIGATION (0.02 CFS), STOCKWATER (0.02 CFS), DOMESTIC (0.04 CFS)
In: NENW Sec 08 T 03S R 34 E for 1 ACRES.

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Section 42-203 A, Idaho Code and/or new public interest criteria of Section 42-203 C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402, on or before September 9, 1985.

53 KEN DUNN, Director
(8736)
Pub.: 8-15, 22, 29

FILED

MAY 23 1990

AFFIDAVIT of PUBLICATION

County of Bingham)
State of Idaho)
I, Catherine C. Brown) do
solemnly

swear that I am the Office Manager of The Morning News which is a daily newspaper of general circulation published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 184 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Thursday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue or said newspaper 3 consecutive weeks

the first publication having been made on the 15th day of August, 19 85

and the last publication having been made on the 29th day of August, 19 85

that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Catherine C. Brown

Subscribed and sworn to before me this 30th

day of August, 19 85

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 28, 2002

TERRY COUMERILH
WANDA COUMERILH
PO DRAWER H
MORELAND ID 83256

RE: License No. 35-8216 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
JUL 10 2002

CERTIFICATE OF SERVICE

I hereby certify that on June 28, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 35-8216

**TERRY COUMERILH
WANDA COUMERILH
PO DRAWER H
MORELAND ID 83256**

A handwritten signature in cursive script, reading "Karl Lynn Townsend", written over a horizontal line.

**Karl Lynn Townsend
Secretary**

**MICROFILMED
JUL 10 2002**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED

111 1 0 2002

MEMORANDUM

TO: Files 35-08216 and 35-08728

FROM: KAY WALKER *KW*

RE: License Recommendations

Date: June 24, 2002

.....

I called Terry Coumerilh this afternoon to find out if he uses canal water on the 4 acres under these permits. Mr. Coumerilh says he doesn't have any Snake River Canal water but uses surface water from People's Canal Company when it is available.

I also asked him about his mailing address. He says the post office won't deliver to P.O. Box 9 and to send his mail to P.O. Drawer H. I have made this correction to what field examiner listed as address.

MICROFILMED
JUL 10 2002

LICENSE REVIEW CHECKLIST

Permit No. 35-8216 Date 6-24-02 Reviewer Kay Walker

Change/OK

Name/Address

Source
Point of Diversion:

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

Place of Use

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s):
File reviewed Profile reports printed

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.03 cfs
Fee Limit N/A cfs
Measured 0.14 cfs
Theoretical 0.14 cfs

Recommended Total Diversion Rate 0.03

Water Uses

Irrigation 0.03 cfs 4.0 af
Stockwater 0.03 cfs 4.0 af
Domestic 0.03 cfs 4.0 af
Total 0.03 cfs 4.0 af

Season of Use per new Standards
4-1 10-31

Irrigation - overlap (R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (106/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination

0.03 cfs x 1.9835 x 214 days = 12.7 af (vs) 1 acres x 4.0 (FHR) = 4.0 af
3.0 (con)

Remarks:

Additional Conditions yes Watermaster Control 120
GW Measurement/Measuring Device
Other
Trust R55 - remove 051
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? NO

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

S06

add "NE"NWNE to pld descrip as an overlapping rights

also in license process -

35-8728 at pld 35-11379
35-11380

AJ5809NP
No. 35-11379

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/20/02
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TERRY L COUMERILH DRAWER H MOORELAND ID 83256 (208) 684-5535	05/01/1920	DOMESTIC	01-01 12-31	0.040 CFS	
TOTAL DIVERSION:					0.040 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T02S R34E S26

NENWNE

BINGHAM County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:			
				D																			

POU County: BINGHAM

Non-Irrigation Uses: 1 HOME

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP7023700
PROPERTY ALSO KNOWN AS LOT 4, BLOCK 4, MORELAND

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

AJ5809NP
No. 35-11380

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/20/02
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TERRY L COUMERILH DRAWER H MORELAND ID 83256 (208) 684-5535	06/01/1976	DOMESTIC	01-01 12-31	0.040 CFS	
TOTAL DIVERSION:					0.040 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T02S R34E S26

NENWNE

BINGHAM County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
02S	34E	26	:			D																:

POU County: BINGHAM

Non-Irrigation Uses: 1 HOME

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP7023700
PROPERTY ALSO KNOWN AS LOT 4, BLOCK 4, MORELAND TOWNSITE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

APR 15 2002 K

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-08216

1. Owner: TERRY L & WANDA COWMERICH Phone No. 684-5535

Current Address: P.O. Box 9, Moreland, ID 83256

2. Accompanied by: TERRY COWMERICH EXAM DATE: 8-15-1991

Address: SAME Phone No. _____

Relationship to Permit Holder: Holder

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: A35-11379, A35-11380 Snake River Canal

2. Other water rights with the same point of diversion: A35-11379, A35-11380, 35-8728

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	NE	26	2S	34E	BINGHAM	USGS, Quad & ON SITE

2. Place(s) of Use:

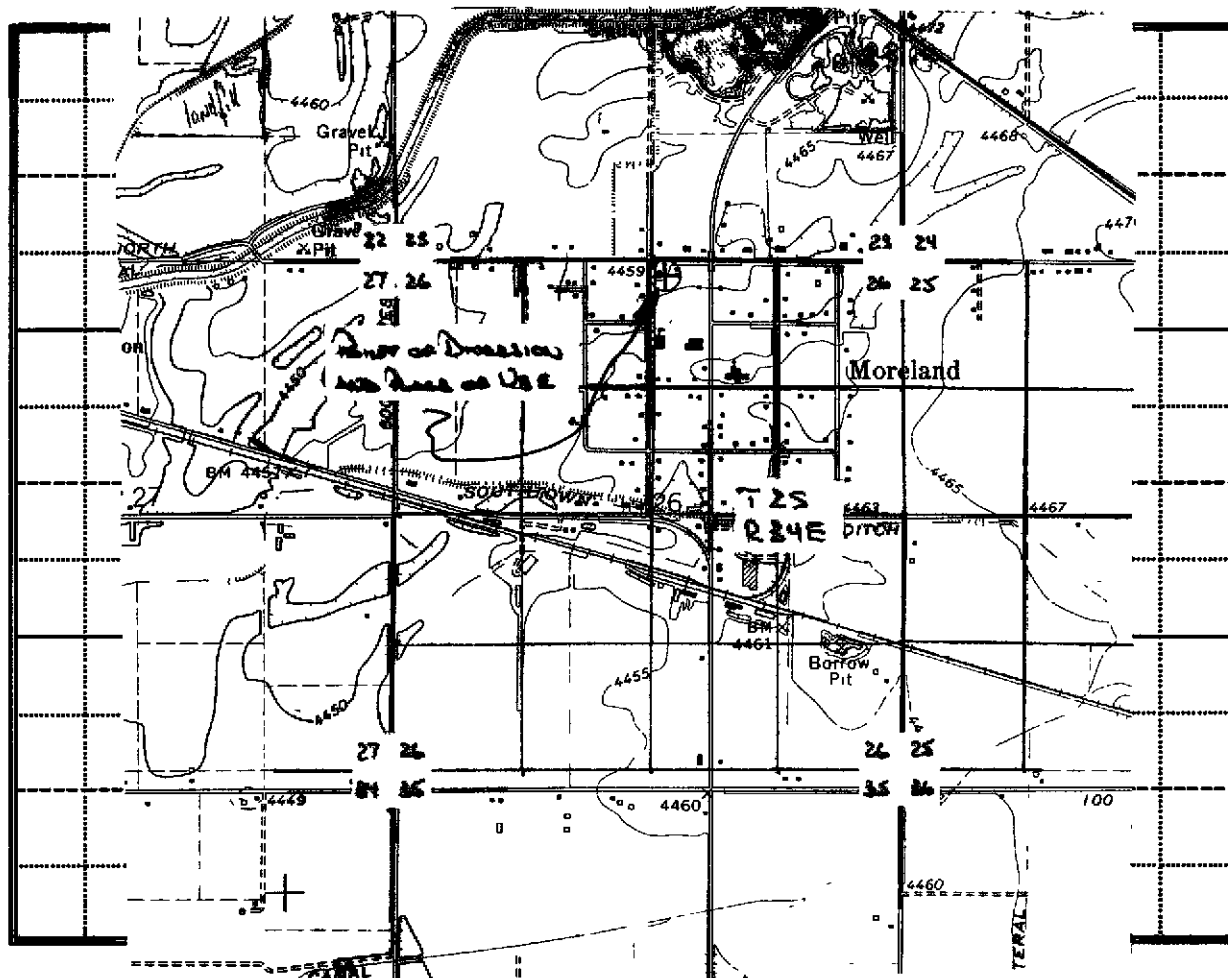
Indicate Method of Determination SAME

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2S	34E	26		1x															1
																			1

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3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.



Scale: 1" = _____

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required)

Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Berkely	3hp			2" DISCHARGE

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
WELL ABOVE	ANIMATIC	ANIMATIC	500		500'	

2. Measurements: Static W.O. at 28', Estimate 30-40 PSI SYSTEM

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E. NARRATIVE/REMARKS/COMMENTS

Well, pump and pipelines to approx 1/2 acre lawn & garden for two homes.

Well same as 35-8728

Domestic uses for home & trailer filed under A35-11379 and
A35-11380 in SERA.

* THIS WRITE-UP AS PER EXAMINATION CONDUCTED BY LEON PARKS

Have conditions of permit approval been met? ☒ yes ☐ no

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F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$Q_{THEOR} = \frac{340 (8.814) .7 \text{ EFF}}{36' + (2.208 \times 40 \text{ PSI})} = 0.04 \text{ cfs} \quad \text{LIMITED TO } 0.03 \text{ cfs FOR IRRIGATION BY PERMIT 1 IDWR STD. MAXIMUM}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.0 \text{ ac} \times 4.0 = 4.0 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.03 (214 \text{ DAYS}) 1.9835 = 12.73 \text{ afa}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{D.R.} = 4.0 \text{ afa}$$

2. Volume Calculations for Other Uses:

Combined with 35-8728 - 0.09 cfs 16 AF/A - 4 ACRES

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4-1	10-31	0.03	4.0
Totals:			0.03	4.0

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name PAUL D. MEYER FOR ARIZONA Date 12-12-94

Reviewer DAVE CARLSON Date 4/9/2002

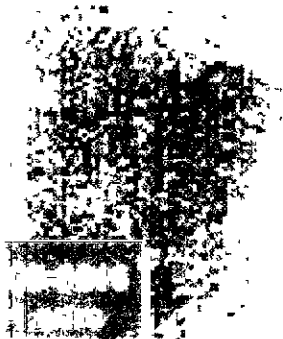
SEAL

MICROFILMED

JUL 10 2002

35-08218, 35-08728

T2S, R34E sec 26



MICROFILMED

111 10 2002

November 23, 1990

TERRY COUMERILH
WANDA COUMERILH
P.O. BOX 9
MORELAND, ID 83256

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08216

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

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DEC 07 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 35-82110

Date: 11-7-90

General Considerations:

y Name same as permit
y Signature the same as permit holder
y Address change _____ If yes, prepare a data entry
y Proof received timely _____
_____ Reinstated

Source of Water:

y Surface water
y Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

y Rate of diversion appropriate for uses
y Is rate or volume and fee appropriate?
y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

y Is a measuring device or access port required?
y Has one been installed?
y Waiver or modification of measuring device requested

Remarks:

*Well drilled in 1950
Proof acceptable*

1/8 Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	- _____
No. of days late	_____	= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
May 16, 1990

TERRY COUMERILH
WANDA COUMERILH
P.O. BOX 9
MORELAND, ID 83256

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P35-08216

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

RECORDED & INDEXED

MAY 23 1990

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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MAY 23 1947

PROCESSING Yes No In form for advertising
Yes No Statewide advertising
Yes No Fee amount, receipt date & No. recorded on application

SEND COPIES TO Idaho Dept. of Health & Welfare U.S. BLM
Idaho Dept. of Fish & Game U.S. Forest Service
Idaho Dept. of Lands Water District
Adjudication Bureau Unit Other

FINAL REGIONAL PROCESSING REVIEW

Yes No Affidavit of publication received
Yes No Application published correctly. If not, record action taken.

Yes No Publication dates & paper, recorded on application
Yes No Protests received
Final date for protest
Yes No Protests, dates, resolution of protest, recorded on application
Yes No Recommendations attached
Yes No Measuring device required
Yes No Access port required
Yes No Will water be delivered by watermaster? If yes, what Dist. 01-POS
Yes No Special conditions of approval or cover letter below.

See below for additional information
Date of priority recommended 6-21-1983
By Date

STATE OFFICE REVIEW POS, P23

P16 48 49 46 28 (003 ds) Irrigation

See below for additional information
By kw Date 5-1-90

ADDITIONAL INFORMATION

App. in NON-TRUST area - from
hold drawer -

October 8, 1985

RE: Application for Permit No. 35-8216

Terry &/or Wanda Coumerilh
Box 9
Moreland, ID 83256

Dear Mr. and Mrs. Coumerilh:

We have received your water right application from our regional office for final action. During our review of your filing, we found that the application has not been dismissed from the Idaho Power lawsuit and we cannot take further action until we are notified of its release.

However, we note that the water use you applied for is in a category which should allow for its dismissal from the lawsuit. We recommend that you contact Nelson, Rosholt, Robertson, Tolman & Tucker, Attn: Cindy Cranston Felton, at P.O. Box 1906, Twin Falls, ID 83301, (phone 734-0700) and request dismissal from the lawsuit. We are enclosing a copy of your application in case it might be needed.

If you have any questions regarding this matter, please feel free to contact our office.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:sc
Enclosure

cc: Eastern Region

RECEIVED
MAY 23 1990

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: [Signature]

APPLICATION NUMBER: 35 8216

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☐ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising. 9-9-85
Final date for protests: 9-2-85
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 9-3-85
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 01
6-21-83 Date of priority recommended.
Special conditions of approval or cover letter. _____

STATE OFFICE REVIEW:

By: [Signature]

Date: Sept. 12, 1985.

605, 616

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SEP 16 1985

- ☐ See attached sheet for more information.

By: [Signature]

Date: 9/24/85

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

August 6, 1985

Ms. Cindy Cranston Felton
P.O. Box 1906
Twin Falls, ID 83303

Dear Cindy:

According to the provisions of the agreement signed October 25, 1984, applications limited to certain beneficial uses are eligible for dismissal from Ada County Civil Case 81375.

Based on our understanding of the definition "consumptive domestic" and "non-consumptive commercial, municipal, and industrial", we have identified applications that appear to comply with the criteria essential for dismissal. A profile of each application is enclosed for your consideration.

We are proceeding with the publication of notices advising these applications have been filed, but will continue to withhold other administrative action pending notification from your office that an application has been released.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

FC:cw

Enclosures

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MAY 23 1990

FORM A

STATE OF IDAHO

RECEIVED
JUL 3 1985

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 35-8216

Name(s) of Permit Holder: Terry L. Coumerick

Post Office Address: PO Box 9 Moreland Idaho 83256

Telephone No. 208-684-5535

Source of Water: WELL

Extent of Use: Domestic 3 (number of households)

Stockwater 6 cows (number and type of stock)

Irrigation 4 (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: 1975

Measuring Device: Required? _____ Yes X No
Installed? _____ Yes X No

Flow Measurement Port: Required? _____ Yes X No
Required? _____ Yes X No

Person to contact to accompany the Department representative during field examination: Terry L. Coumerick (Name)

PO Box 9 Moreland Idaho 83256 684-5535
(Address) (Telephone number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

15 May 85
Date

Terry L. Coumerick
Signature of Permit
(and Title, if appropriate)

MicroFILMED

MAY 23 1990

Statement of development for exemption
from Swan Falls processing Not acceptable
as proof of beneficial use.

35-8216

COUMERILH, TERRY &/or WANDA

BOX 9, MORELAND, ID 83256

Source: GROUNDWATER

Date Filed: 06/21/1983

Diversion Pt: NWNE Sec 26 T 02S R 34E

Use: IRRIGATION (0.04 CFS)

In: NWNE Sec 26 T 02S R 34E FOR 1 ACRES

35-8216
COUMERILH, TERRY &/or WANDA
BOX 9, MORELAND, ID 83256
Source GROUNDWATER
Date Filed 06/21/1983
Diversion Pt NWNE Sec 26 T 02S R 34E
Use IRRIGATION (0.04 CFS)
In NWNE Sec 26 T 02S R 34E for 1 ACRE

Advert. changed to
inc. new sentence.
Ad. 8/22 & 8/29.
LDP 9/9/85.

called Pat
"change will be
made
8-7-85

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MAY 23 1990